

League Track and Golf Meet from Childress.

S. R. No. 485—By Senator Krueger: Extending welcome to Sister Veronica and students in Senior Class of St. Ludmila Academy of Shiner.

S. R. No. 486—By Senator Krueger: Extending welcome to teachers and students of 7th Grade Class of Hallettsville.

S. R. No. 487—By Senator Colson: Extending welcome to teachers and students of Ninth and Eleventh Grade Classes of North Zulch High School.

S. R. No. 488—By Senator Herring for Senator Creighton: Extending welcome to Mrs. J. P. Morris and students of Civics Class of Ranger Junior College.

S. R. No. 489—By Senator Kazen: Extending welcome to teachers and students of the Senior Class of Hebronville High School.

Memorial Resolution

S. C. R. No. 62—By Senator Cole: In memory of Mrs. Maude Gage Sterling.

Adjournment

On motion of Senator Moffett the Senate at 4:46 o'clock p.m. adjourned until 10:00 o'clock a.m. on Monday, May 6, 1963.

Record of Vote

Senator Patman asked to be recorded as voting "Nay" on the motion to adjourn.

SIXTY-FIFTH DAY

(Monday, May 6, 1963)

The Senate met at 10:00 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called, and the following Senators were present:

Aikin	Harrington
Bates	Hazlewood
Blanchard	Herring
Calhoun	Kazen
Cole	Kennard
Colson	Krueger
Creighton	Moffett
Crump	Moore
Hall	Owen
Hardeman	Parkhouse

Patman	Schwartz
Ratliff	Spears
Reagan	Strong
Richter	Watson
Rogers	Word

Absent—Excused

Dies

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, May 2, 1963, was dispensed with and the Journal was approved.

Leave of Absence

Senator Dies was granted leave of absence for today on account of illness on motion of Senator Aikin.

Message From the House

Hall of the House of Representatives
Austin, Texas,
May 6, 1963.

Hon. Preston Smith, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. B. No. 31, A bill to be entitled "An Act amending subdivision (g) of Section 1 of Chapter 314, General Laws, 41st Legislature, Regular Session as heretofore amended (and now codified as subdivision (g) of section 1 of Art. 911 b Vernon's Civil Statutes) so as to re-define the term 'Motor Carrier'; providing that the terms 'Motor Carrier,' 'contract carrier' and 'specialized motor carrier' shall not include vehicles used exclusively in the transportation of sand, gravel, dirt, caliche, shell, cement, ready-mix concrete, asphalt rock, aggregate, and other similar road building substances ordinarily transported in bulk, unless, in the course of transportation a highway between two or more cities, towns or villages is traversed; providing a savings clause; and declaring an emergency."

H. B. No. 291, A bill to be entitled "An Act amending Chapter 370, Acts of the 57th Legislature, Regular Session, 1961 (compiled as Article 2615g, Vernon's Texas Civil Statutes), amending Sections 7a, 10, and 11

thereof and adding a Section 10a conferring on the Board of Regents of the University of Houston the power of eminent domain; providing for severability; and declaring an emergency."

H. B. No. 597, A bill to be entitled "An Act declaring the public policy of the State relating to the control of forest pests; defining forest pests and declaring them to be a public nuisance; defining certain other terms; providing for the administration of this Act by the Texas Forest Service and granting to it certain powers in connection therewith; providing for procedure requiring the owner, or the person in control of, forest land infested with pests to apply control measures as prescribed by the Texas Forest Service; providing for the entry by the Texas Forest Service upon the land infested for application of control measures by such agency; providing for right by the aggrieved landowner to seek relief in district court; providing for recovery by legal proceedings against the owner, of charges and expenses incurred by the Texas Forest Service in connection with such control measures and of court costs; providing for cooperative agreements by the Texas Forest Service with private timberland owners, the federal government or other public or private agencies; and declaring an emergency."

H. B. No. 226, A bill to be entitled "An Act amending Chapter 116, Acts of the Forty-fourth Legislature, 1935, as last amended by Chapter 242, Acts of the Fifty-third Legislature, 1953 (compiled as Article 734b of Vernon's Texas Penal Code); providing for the establishment and continuance of the State Board of Hairdressers and Cosmetologists as presently constituted, and defining the duties and powers of such boards; providing for the organization of said board, and employment of certain employees, defining the practice of hairdressing and cosmetology and other terms and definitions; providing for a license for those desiring to engage in the practice of hairdressing and cosmetology or any phases thereof; providing for the qualifications and manner of obtaining such license; providing for examinations to obtain such license; providing for certain requirements before taking the examination; providing for, and providing the grounds

and manner of denying, refusing to renew, suspending or revoking a license; providing for requirements for the granting of licenses in certain cases; providing for obtaining licenses to operate, and maintain a beauty culture school and certain other requirements thereof; providing for the number of instructors, courses of study, time of completion of such course, and prescribing the qualifications for students and instructors and for certain fees therefor; providing for the licensing of instructors in beauty culture schools; providing for the issuance and expiration of the period of licenses issued and for the filing of applications for renewal of licenses and for late filing; providing for renewal fees for conducting beauty shops and the fees therefor; prohibiting the establishment of itinerant shops; providing for the adoption of sanitary rules under certain conditions; prescribing the qualification of inspectors and other employees of the board and their duties; providing the grounds for refusal to issue or renew, suspension or revocation of licenses; providing for judicial determination before revocation or suspension of license; providing for board hearing to determine whether a license may be refused, suspended or revoked; providing that the board shall be represented by the District Attorney, County Attorney, the attorney General of Texas or private counsel under certain conditions; providing for the appeal from orders of the board and for a trial de novo in the district court; providing for emergency services and exempting certain persons from the provisions thereof; providing for the disposition of funds collected; providing for the refund of moneys under certain conditions; prohibiting the employment of certain persons known to be suffering from infectious or contagious diseases; prescribing certain offenses which shall constitute misdemeanors; providing for the punishment for wilful making of any false statement; providing for the repeal of laws in conflict herewith; providing that any unconstitutional provisions shall not affect any other provisions, and declaring an emergency."

H. B. No. 394, A bill to be entitled "An Act amending the provisions of Senate Bill No. 236, known as the Insurance Code, Acts 1951, 52nd Legislature, Page 868, Chapter 491,

as amended by adding thereto a new Article, designated as Article 21.48; defining and concerning mortgage lenders and borrowers; prohibiting certain practices relating to insurance of real property and escrow accounts; permitting certain exceptions thereto; providing a penalty for violation thereof; declaring a violation thereof to be a misdemeanor and assessing a fine; providing a saving clause; and declaring an emergency."

H. B. No. 476, A bill to be entitled "An Act providing that the Attorney General shall not accept or use any money offered by any person, firm, partnership, corporation or association for the purpose of investigating or prosecuting any matter whatsoever; and declaring an emergency."

H. B. No. 487, A bill to be entitled "An Act relating to the salaries of all state officers and employees except the salaries and other compensation of District Judges; specifically providing that the Legislature shall fix the amount of compensation to be paid clerks of the Courts of Civil Appeals, Supreme Court and Court of Criminal Appeals; repealing laws in conflict herewith to the extent of such conflict; and declaring an emergency."

H. B. No. 500, A bill to be entitled "An Act authorizing and directing the Board of Regents of the University of Texas to establish a graduate school of biomedical sciences in Houston, Harris County, Texas, to be known as the University of Texas Graduate School of Biomedical Sciences, and to be operated as a component unit of The University of Texas system; providing for a dean to be responsible to the Board of Regents through the Chancellor; authorizing said Board of Regents to conduct graduate and postdoctoral programs at the master's and doctoral levels in the sciences and related academic areas pertinent to medical education and research; providing for the awarding of degrees; authorizing the Board of Regents to make rules and regulations for the operation, control and management of the new graduate school; authorizing the board to accept and administer grants and gifts in aid of the establishment and administration of the school; authorizing the Board to expend appropriated funds and gift,

grant and contract funds at the school's own facilities or in facilities of other component units of The University of Texas in Houston; authorizing joint appointments; requiring affiliation with the science programs at the Main University in Austin and with other medical units of The University of Texas, and cooperation with other institutions; suspending the operation of The University of Texas Post-graduate School of Medicine and authorizing establishment of a division of continuing education as a part of the Graduate School of Biomedical Sciences; making available to the Graduate School of Biomedical Sciences appropriations to, and contracts entered into on behalf of, The University of Texas postgraduate School of Medicine; and declaring an emergency."

H. B. No. 615, A bill to be entitled "An Act amending Section 2 of Chapter 88, Acts of the 41st Legislature, 1929, as amended, by adding thereto a new Subsection (g), providing that there shall be a partial exemption from license fees for vehicles used in the transportation from farm to farm of soil conservation machinery and equipment, and that owners of such vehicles may register not more than one vehicle at the reduced license fee, and that upon application for registration, the applicant shall submit an affidavit that the vehicle is to be used only for the stated purposes, and a certification by the supervisor of the appropriate Soil Conservation District that the applicant has been approved as a transporter of soil conservation machinery and equipment; and providing that a registration certificate issued pursuant to this Act shall indicate clearly the nature of the operation for which the vehicle shall be used, and that this certificate shall at all times be kept in or on the vehicle so as to permit ready inspection; and declaring an emergency."

H. B. No. 924, A bill to be entitled "An Act making it unlawful for any person to misrepresent his place of residence when applying for medical aid from any state or county hospital; providing penalties for violations; and declaring an emergency."

H. B. No. 620, A bill to be entitled "An Act amending Chapter 467, House Bill No. 77, Acts, Second Called Session, Forty-fourth Legisla-

ture as such has been heretofore amended, being the Texas Liquor Control Act, and being the Act carried in Vernon's Penal Code as Articles 666 and 667, so as to clarify such Act by making plain the intent of those seeking local option elections and providing for a remaining local option status quo in an area where an attempt to legalize has failed; providing a savings clause; repealing laws in conflict herewith; and declaring an emergency."

H. B. No. 755, A bill to be entitled "An Act changing the name of the Agricultural and Mechanical College of Texas to Texas A&M University; changing the name of the Texas Agricultural and Mechanical College System to the Texas A&M University System; and declaring an emergency."

H. B. No. 126, A bill to be entitled "An Act amending Chapter I of H. B. 11, Chapter 1, Acts of the 56th Legislature, 3rd Called Session, revising statutes levying the inheritance tax and the additional inheritance tax; providing for the Comptroller to have full authority and responsibility for administration of the inheritance tax and the additional inheritance tax; providing for the filing of returns and penalties for failure to file; providing for payment of the tax within fifteen (15) months and interest for failure to pay; providing a Lien; providing for a refund for over payments; providing for additional information as the Comptroller may require; providing for the Comptroller to issue rules and regulations; providing for the Comptroller to examine records of estates; providing for the Comptroller and the Attorney General to enter into agreements with other states when the residence of a deceased is in question; providing a savings clause; providing a severability clause; repealing all laws in conflict herewith; providing for an effective date; and declaring an emergency."

H. B. No. 457, A bill to be entitled "An Act providing that it shall be unlawful for any person to make, draw, utter or deliver, or to cause or direct the making, drawing, uttering or delivering of a check, draft, or order knowing that he does not have sufficient funds on deposit with

the drawee; providing a presumption of knowledge of insufficient funds in certain instances; defining certain terms; providing penalties for violations of this Act; providing for service of process; providing a severability clause; repealing Chapter 17, Criminal Law Title, page 246, Acts of the 46th Legislature, General Laws, 1939, as amended, (compiled as Article 567b of Vernon's Texas Civil Statutes); and declaring an emergency."

H. B. No. 749, A bill to be entitled "An Act amending Paragraph (c) of Section 2 of Chapter 88, General Laws of the Forty-first Legislature, Second Called Session, 1929, as amended (compiled as Paragraph (c) of Article 6675a-2 of Vernon's Texas Civil Statutes), exempting certain vehicles from the regular motor vehicle registration fees, to include oil well drilling and clean-out rigs of both conventional and unconventional construction; and declaring an emergency."

The House has concurred in Senate amendments to House Bill No. 148 by non-record vote.

Respectfully submitted.

DOROTHY HALLMAN,
Chief Clerk House of Representatives

Senate Concurrent Resolution 65

Senator Krueger offered the following resolution:

S. C. R. No. 65, Authorizing Enrolling and Engrossing Clerk to make certain corrections in H. B. No. 148.

Whereas, House Bill No. 148 has passed the Senate and the House of Representatives and is now in the House Enrolling Room; and

Whereas, By inadvertency, Senate Amendment No. 2 by Hall to House Bill No. 148 was adopted to add Section 5 and the amendment was intended to be an addition to the end of Section 4(d) in the Bill; now, therefore, be it

Resolved, By the Senate of the State of Texas, the House of Representatives concurring, That the Enrolling and Engrossing Clerk of the House be and is hereby instructed to add Senate Amendment No. 2 by Hall to the end of Section 4(d) of House Bill No. 148.

The resolution was read.

On motion of Senator Krueger and by unanimous consent the resolution was considered immediately and was adopted.

**Senate Concurrent Resolution 66
on First Reading**

Senator Herring moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a resolution, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—26

Aikin	Kazen
Bates	Krueger
Blanchard	Moffett
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Hall	Richter
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Word

Absent

Kennard	Rogers
Moore	Watson

Absent—Excused

Dies

The following resolution was then introduced, read first time and referred to the committee indicated:

S. C. R. No. 66, Granting Austin Bridge Company et al. permission to sue the State of Texas.

Whereas, Austin Bridge Company, as prime contractor, entered into a contract with the Texas Highway Department under Contract (Project) 1-20-2(28)283 to construct a portion of State Highway No. 120 in Taylor County, Texas, which contract was entered into in 1959; and

Whereas, The prime contractor and B. G. Brown of B. G. Brown and Company, a subcontractor, contend that the Texas Highway Department, acting through its duly authorized agents, imposed additional burdens upon the contractors not contemplated by the contract and arbitrarily charged working days against the

contractor and subcontractor when such charge was not justified; and

Whereas, Austin Bridge Company, a corporation, and B. G. Brown and Company, a corporation, desire to enter suit against the State of Texas to recover for what they contend are unfair and unjustified penalties and unjustified requirements in connection with the construction under said contract; now, therefore, be it

Resolved, By the Senate of the State of Texas, the House of Representatives concurring, that Austin Bridge Company, a corporation, and B. G. Brown and Company, a corporation, be and they are each jointly and severally granted permission to bring and maintain suit against the State of Texas including the Texas Highway Department in district court of Travis County, Texas, or in such other courts as may have jurisdiction under the general laws of the State of Texas to recover judgment in such amount as may be determined by a court or jury; and be it further

Resolved, That the sole purpose of this resolution is to grant permission to the aforesaid parties to maintain suit against the State and any instrumentality thereof and no admission of liability is intended to be evidenced by this resolution and the parties described above shall be required to prove all essential facts as in other similar cases and either party may appeal from any judgment entered in the event such suit is instituted in accordance with the rules and laws of civil procedure for such legislation.

The resolution was read and was referred to the Committee on Jurisprudence.

Senate Bill 492 Re-referred

On motion of Senator Schwartz and by unanimous consent S. B. No. 492 was withdrawn from the Committee on Counties, Cities and Towns and re-referred to the Committee on Water and Conservation.

Senate Bills on First Reading

By unanimous consent the following local bills were introduced, read first time and referred to the committees indicated:

By Senator Colson:

S. B. No. 494, A bill to be entitled "An Act creating and establishing a

conservation and reclamation district under Article 16, Section 59, Constitution of Texas, known as Waller County Water Control and Improvement District—Sky Lakes; declaring District a governmental agency, body politic and corporate; defining the boundaries; finding the field notes and boundaries form a closure, and related matters; finding a benefit to all land and other property within the District; finding that District is created to serve a public use and benefit; conferring on District the rights, powers, privileges, authority and duties of the general laws of Texas applicable to water control and improvement districts created under Article 16, Section 59, Constitution of Texas, where not in conflict with this Act and adopting same by reference; etc.; and declaring an emergency."

To the Committee on Water and Conservation.

By Senator Cole:

S. B. No. 495, A bill to be entitled "An Act amending Section 1 of Chapter 215, Acts of the 56th Legislature, Regular Session, 1959, to increase the compensation of court reporters in all counties having a population of one million (1,000,000) or more inhabitants according to the last preceding federal census; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

By Senator Cole:

S. B. No. 496, A bill to be entitled "An Act amending Article 6597, Revised Civil Statutes of Texas, 1925, to authorize full and complete consolidated, or master, indexes of real property records in counties having a population of 1,200,000 people, or more, according to the latest federal census, providing for the repeal to the extent of conflict only of all laws or parts of laws in conflict; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

By Senator Cole:

S. B. No. 497, A bill to be entitled "An Act authorizing the Commissioners' Court of counties having a population of 1,200,000, or more, people according to the latest federal census, to sell, lease, or otherwise dispose of personal property of said counties,

providing a repealing clause; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

By Senator Hazlewood:

S. B. No. 498, A bill to be entitled "An Act authorizing the Commissioner's Courts of Armstrong, Potter and Randall Counties to pay the District Judge of the 47th Judicial District a reasonable sum not to exceed \$6,000 per annum; authorizing the Commissioner's Court of Potter County to pay the District Judge of the 108th Judicial District a reasonable sum not to exceed \$6,000 per annum; providing that such compensation shall be in addition to other compensation paid or authorized; providing for additional compensation which may be paid visiting judges; providing a severability clause; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

By Senator Richter:

S. B. No. 499, A bill to be entitled "An Act amending Chapter 175, page 360, Acts of the 56th Legislature, 1959 (codified by Vernon as Article 8280-221), relating to Hays County Wimberley Water Supply District, by giving said district sanitary sewer system powers and authority to issue bonds therefor; containing other provisions relating to the subject; providing a severability clause; and declaring an emergency."

To the Committee on Water and Conservation.

By Senator Ratliff:

S. B. No. 500, A bill to be entitled "An Act amending Chap. 244, Acts of the Fifty-seventh Legislature creating Rotan Municipal Water Authority by providing that certain additional territory shall be contained therein; providing for an election to be held in such added territory for the assumption of its proper portion of the indebtedness of the authority; providing that if such election fails to receive a majority vote, the Board of Directors shall detach such territory; enacting other provisions related to the subject; and declaring an emergency."

To the Committee on Water and Conservation.

Bills Signed

The President signed in the presence of the Senate after the captions had been read the following enrolled bills:

S. B. No. 47, A bill to be entitled "An Act providing for the deposit of all revenues derived from easements on property under the control of the Department of Corrections, together with all revenue received by the Department of Corrections as damages to property under its custody and control, to the Special Mineral Fund of the Department of Corrections, created by the provisions of Section 16 of Senate Bill 354, Acts of the 52nd Legislature, Regular Session, 1951, chapter 325, page 556; and declaring an emergency."

S. B. No. 50, A bill to be entitled "An Act establishing and providing for a State mentally retarded school; regulating and providing for the operation of same, creating an independent School District; and declaring an emergency."

S. B. No. 101, A bill to be entitled "An Act amending Art. 6243h, R. C. S. of Tex., 1925, as amended, by allowing the cumulation of credits for 'creditable service' of an employer employed by two or more participating departments, if certain conditions are met; by providing for the retroactive application of this Act in favor of all persons eligible for benefits under the provisions hereof from and after January 1, 1959, and declaring an emergency."

S. B. No. 278, A bill to be entitled "An Act relating to the establishment of a hospital district coterminous with the Sweeny Independent School District, and other coterminous with the West Columbia-Brazoria Independent School District; and the Damon Independent School District, except that land which formerly comprised the Brazoria School District prior to February 28, 1959; etc.; and declaring an emergency."

S. B. No. 390, A bill to be entitled "An Act amending Sections 3 and 13 of Chapter 29, Acts of the 34th Legislature, Regular Session, 1915, as amended, compiled as Articles 1970-113 and 1970-122, respectively, of Vernon's Texas Civil Statutes, so as to confer upon the judge of the

County Court of Jefferson County at Law concurrent jurisdiction with the judge of the county court in juvenile, lunacy and probate matters, etc., and declaring an emergency."

S. B. No. 315, A bill to be entitled "An Act relating to the Firemen and Policemen pension fund in cities of over one hundred thousand (100,000) inhabitants, providing for enlarging the membership in the board of trustees, increasing the maximum amount deductible, making participation compulsory within specified age limit, etc., and declaring an emergency."

Report of Standing Committees

Senator Parkhouse submitted the following reports:

Austin, Texas,
May 6, 1963.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Water and Conservation to which was referred S. B. No. 492, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

PARKHOUSE, Chairman.

Austin, Texas,
May 2, 1963.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Water and Conservation, to whom was referred S. B. No. 488, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

PARKHOUSE, Chairman.

Senator Creighton submitted the following reports:

Austin, Texas,
May 2, 1963.

Hon. Preston Smith, President of the Senate:

Sir: We, your Committee on Counties, Cities and Towns, to which was referred H. B. No. 385, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

CREIGHTON, Vice-Chairman.

Austin, Texas,
May 2, 1963.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Game and Fish, to which was referred H. B. No. 636, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

CREIGHTON, Chairman.

Austin, Texas,
May 2, 1963.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Game and Fish to which was referred H. B. No. 1025, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

CREIGHTON, Chairman.

Senator Hardeman submitted the following report:

Austin, Texas,
May 6, 1963.

Hon. Preston Smith, President of the Senate:

We, your Committee on Jurisprudence, to which was referred S. C. R. No. 66, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HARDEMAN, Chairman.

Senate Bill 492 Ordered Not Printed

On motion of Senator Schwartz and by unanimous consent S. B. No. 492 was ordered not printed.

Senate Bill 488 Ordered Not Printed

On motion of Senator Cole and by unanimous consent S. B. No. 488 was ordered not printed.

Reports of Standing Committees

Senator Creighton by unanimous consent submitted the following reports:

Austin, Texas,
May 6, 1963.

Hon. Preston Smith, President of the Senate:

We, your Committee on Counties, Cities and Towns, to whom was re-

ferred S. B. No. 496, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

CREIGHTON, Vice-Chairman.

Austin, Texas,
May 6, 1963.

Hon. Preston Smith, President of the Senate:

We, your Committee on Counties, Cities and Towns, to whom was referred S. B. No. 497, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

CREIGHTON, Vice-Chairman.

Austin, Texas,
May 6, 1963.

Hon. Preston Smith, President of the Senate:

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred S. B. No. 495, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

CREIGHTON, Vice-Chairman.

Senate Bill 495 Ordered Not Printed

On motion of Senator Cole and by unanimous consent S. B. No. 495 was ordered not printed.

Senate Bill 496 Ordered Not Printed

On motion of Senator Cole and by unanimous consent S. B. No. 496 was ordered not printed.

Senate Bill 497 Ordered Not Printed

On motion of Senator Cole and by unanimous consent S. B. No. 497 was ordered not printed.

**Senate Concurrent Resolution 66
Ordered Not Printed**

On motion of Senator Herring and by unanimous consent S. C. R. No. 66 was ordered not printed.

(Senator Blanchard in the Chair.)

**Conference Committee Report of
Senate Bill 231**

Senator Moore submitted the following Conference Committee Report on S. B. No. 231:

Austin, Texas,
May 6, 1963.

Hon. Preston Smith, President of the Senate.

Hon. Byron Tunnell, Speaker of the House of Representatives.

Sirs: We, your Conference Committee appointed to adjust the differences between the House and Senate on Senate Bill 231, have adjusted our differences and beg leave to recommend that Senate Bill No. 231 be passed in the form attached hereto.

Respectfully submitted,

MOORE
CRUMP
KRUEGER
HERRING

On the part of the Senate.

HAINES
SCHILLER
COUGHRAN
CANALES
ATWELL

On the part of the House.

S. B. No. 231,

A BILL
To Be Entitled

An Act providing for additional compensation to the judge of the 85th Judicial District in addition to the compensation paid by the state; providing that the additional compensation shall be paid by the commissioners court of Brazos County; providing for additional compensation to the judge of the 13th Judicial District in addition to the compensation paid by the state; providing that the additional compensation shall be paid by the commissioners court of Navarro County; and declaring an emergency."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. In addition to the compensation provided by law and paid by the state, the commissioners court of Brazos County shall pay the district judge of the 85th Judicial District Four Thousand Dollars (\$4,000) per annum for performing the duties of judge of the juvenile court.

Sec. 2. In addition to the compensation provided by law and paid by the state, the commissioners court of Navarro County shall pay the district judge of the 13th Judicial District Four Thousand Dollars (\$4,000) per annum for performing the duties of judge of the juvenile court.

Sec. 3. The importance of this legislation and the crowded condition of the calendar in both houses create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each house be suspended, and this Rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

The report was read and was adopted.

(President in the Chair.)

Senate Bill 100 on Third Reading

The President laid before the Senate as unfinished business S. B. No. 100 on its final passage (the bill having been read the third time on Tuesday, April 30, 1963).

Question—Shall S. B. No. 100 be finally passed?

Senator Patman offered the following amendment to the bill:

Amend S. B. No. 100 by adding the following section, to be numbered Section 2, and re-numbering the succeeding Sections, the section to be added by this amendment to read as follows:

"Provided, however, nothing in this act to be contrary notwithstanding, that game wardens and law enforcement personnel and employees of the Game and Fish Commission shall not be authorized hereunder to make arrests for trespassing upon St. Joseph Island, Matagorda Island, or other islands along the coast of Texas."

The amendment was read.

Senator Schwartz offered the following amendment to the pending amendment by Senator Patman:

Amend the Patman amendment by adding the words "Galveston Island and all peninsulas" after the words "Matagorda Island" in the amendment.

The amendment to the pending amendment was read.

Pending discussion by Senator Schwartz of his amendment to the pending amendment, Senator Harde- man moved the previous question on the amendment by Senator Schwartz to the pending amendment by Senator

Flannery
Hardeman

May—15

Bates
Calhoun
Cole
Harrington
Harlowood
Herring
Kasen
Kennard

Absent

Moore
Owen

Absent—Excused

Dies

Pending further discussion by Senator Schwartz of his amendment to the pending amendment by Senator Patman, Senator Crelighton moved the previous question on the amendment by Senator Schwartz to the pending amendment by Senator Patman and the final passage of S. B. No. 100 and the motion was duly seconded.

Question—Shall the previous question now be put?

The previous question was ordered by the following vote:

Yeas—15

Altin
Bates
Blanchard
Coleson
Crelighton
Crump
Hall
Hardeman
Harlowood

Krueger
McFet
Owen
Patman
Ratliff
Reagan
Richter
Watson

Nays—9

Calhoun
Cole

not confining his remarks to the pending amendment.

The President sustained the point of order and warned Senator Schwartz to confine his remarks to the pending amendment and stated to Senator Schwartz that he should consider this his first warning.

Pending further discussion by Senator Schwartz of his pending amendment, Senator Crelighton again raised the point of order that Senator Schwartz was not confining his remarks to the pending amendment.

The President sustained the point of order and again warned Senator Schwartz to confine his remarks to the pending amendment, stating that this was a second warning to confine his remarks to the pending amendment.

Pending further discussion by Senator Schwartz of his amendment to the pending amendment by Senator Patman, Senator Crelighton raised the point of order that the amendment to the amendment sent up by Senator Schwartz to the amendment pending before the Senate was not germane to the pending amendment.

The President sustained the point of order.

Senator Patman then by unanimous consent withdrew his pending amendment to S. B. No. 100.

Question on final passage of S. B. No. 100. Yeas and Nays were demanded.

S. B. No. 100 was then finally passed by the following vote:

Yeas—30

Bates
Blanchard

Colson	Moore
Creighton	Owen
Crump	Patman
Hall	Ratliff
Hardeman	Reagan
Hazlewood	Richter
Kazen	Rogers
Krueger	Watson
Moffett	Word

Nays—9

Aikin	Parkhouse
Calhoun	Schwartz
Harrington	Spears
Herring	Strong
Kennard	

Absent

Cole

Absent—Excused

Dies

House Bills on First Reading

The following bills received from the House, were read the first time and referred to the committees indicated:

H. B. No. 226, To the Committee on State Affairs.

H. B. No. 291, To the Committee on State Affairs.

H. B. No. 476, To the Committee on State Affairs.

H. B. No. 487, To the Committee on Finance.

H. B. No. 597, To the Committee on Agriculture and Livestock.

H. B. No. 615, To the Committee on Transportation.

H. B. No. 755, To the Committee on Education.

H. B. No. 924, To the Committee on Counties, Cities and Towns.

H. B. No. 861, To the Committee on Transportation.

H. B. No. 500, To the Committee on Education.

H. B. No. 31, To the Committee on Transportation.

H. B. No. 620, To the Committee on Privileges and Elections.

Bills and Resolutions Signed

The President signed in the pres-

ence of the Senate after the captions had been read, the following enrolled bill and resolutions:

H. C. R. No. 72, Directing the Engraving and Enrolling Clerk of the House of Representatives to make certain corrections in House Bill No. 953.

H. C. R. No. 69, Congratulating Radio Station KAJC-FM on receiving a news award from United Press-International.

H. C. R. No. 67, Authorizing Director of Corrections of the Texas Department of Corrections to accede to the wishes of the Kiowa Indians of Oklahoma for removal of bones of Satanto or White Bear.

H. C. R. No. 21, Memorializing the Congress of the United States to call a convention for the purpose of proposing an amendment to Article V of the Constitution of the United States.

H. B. No. 523, A bill to be entitled "An Act authorizing the Board of Regents of the State Teachers Colleges to accept gifts and donations in order to establish a research center to be known as the Killgore Research Center on the campus of West Texas State College, etc., and declaring an emergency."

Bills Again Signed

The President signed in the presence of the Senate after the captions had been read, the following enrolled bills:

H. B. No. 314, A bill to be entitled "An Act to amend Article 1093 of Chapter 9, Title 28, Vernon's Texas Civil Statutes, respecting notice required of hearing on assessments for street improvements, and declaring an emergency."

H. B. No. 316, A bill to be entitled "An Act to amend Article 1211 of Chapter 17, Title 28, Vernon's Texas Civil Statutes, respecting notice required of hearing on assessments for street improvements, and declaring an emergency."

H. B. No. 317, A bill to be entitled "An Act to amend Article 1098 of Chapter 9, Title 28, Vernon's Texas Civil Statutes, respecting notice required of hearing on assessments for street improvements, and declaring an emergency."

Reports of Standing Committees

Senator Moore by unanimous consent submitted the following report:

Austin, Texas,
May 6, 1963.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Privileges and Elections to which was referred H. B. No. 620, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

MOORE, Chairman.

Senator Creighton submitted the following report.

Austin, Texas,
May 6, 1963.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Game and Fish, to which was referred H. B. No. 1010, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

CREIGHTON, Chairman.

House Bill 620 Ordered Not Printed

On motion of Senator Krueger and by unanimous consent H. B. No. 620 was ordered not printed.

House Bill 1010 Ordered Not Printed

On motion of Senator Calhoun and by unanimous consent H. B. No. 1010 was ordered not printed.

Recess

On motion of Senator Word the Senate at 12:05 o'clock p.m. took recess until 2:00 o'clock p.m. today.

After Recess

The President called the Senate to order at 2:00 o'clock p.m. today.

(Senator Hardeman in the Chair.)

Message From the House

Hall of the House of Representatives
Austin, Texas,
May 6, 1963.

Hon. Preston Smith, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. C. R. No. 65, Instructing Enrolling and Engrossing Clerk of the House to make certain corrections in H. B. No. 148.

Respectfully submitted.

DOROTHY HALLMAN,
Chief Clerk House of Representatives

**Senate Bill 43 With
House Amendments**

Senator Spears called S. B. No. 43 from the President's table for consideration of the House amendments to the bill.

The Presiding Officer laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Spears moved that the Senate concur in the House amendments.

The motion prevailed.

(President in the Chair.)

**Motion to Place Senate Bill 451
on Second Reading**

Senator Parkhouse asked unanimous consent to suspend the regular order of business and take up S. B. No. 451 for consideration at this time.

There was objection.

Senator Parkhouse then moved to suspend the regular order of business and take up S. B. No. 451 for consideration at this time.

The motion was lost by the following vote (not receiving two-thirds vote of the Members present).

Yeas—16

Aikin	Kennard
Calhoun	Moffett
Cole	Parkhouse
Creighton	Ratliff
Crump	Reagan
Hardeman	Schwartz
Hazlewood	Watson
Herring	Word

Nays—12

Bates	Harrington
Blanchard	Kazen
Hall	Krueger

Owen
Patman
Richter

Rogers
Spears
Strong

Absent

Colson

Moore

Absent—Excused

Dies

House Bill 733 Re-referred

On motion of Senator Moffett and by unanimous consent H. B. No. 733 was withdrawn from the Committee on State Affairs and re-referred to the Committee on Education.

Report of Standing Committee

Senator Creighton submitted the consent submitted the following report:

Austin, Texas,
May 6, 1963.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred H. B. No. 1009, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

CREIGHTON, Vice-Chairman.

House Bill 1009 Ordered Not Printed

On motion of Senator Calhoun and by unanimous consent H. B. No. 1009 was ordered not printed.

Senate Joint Resolution 5 on Second Reading

Senator Hardeman asked unanimous consent to suspend the regular order of business and take up S. J. R. No. 5 for consideration at this time.

There was objection.

Senator Hardeman then moved to suspend the regular order of business and take up S. J. R. No. 5 for consideration at this time.

The motion prevailed by the following vote:

Yeas—25

Aikin
Bates
Blanchard

Calhoun
Cole
Colson

Creighton
Crump
Hall
Hardeman
Harrington
Hazlewood
Herring
Kazen
Kennard
Krueger

Moffett
Owen
Parkhouse
Ratliff
Reagan
Richter
Schwartz
Strong
Watson

Nays—3

Patman
Rogers

Word

Absent

Moore

Spears

Absent—Excused

Dies

The President laid before the Senate on its second reading and passage to engrossment:

S. J. R. No. 5, Proposing an amendment to Section 4 of Article IV of the Constitution of the State of Texas to provide that no person elected Governor for two consecutive terms shall be eligible to succeed himself.

The resolution was read second time and was passed to engrossment.

Senate Joint Resolution 5 on Third Reading

Senator Hardeman moved that the Constitutional Rule and Senate Rules 32 and 45 requiring resolutions to be read on three several days be suspended and that S. J. R. No. 5 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin
Bates
Blanchard
Calhoun
Cole
Colson
Creighton
Crump
Hall
Hardeman
Harrington
Hazlewood
Herring

Kazen
Kennard
Krueger
Moffett
Owen
Parkhouse
Ratliff
Reagan
Richter
Schwartz
Strong
Watson
Word

Nays—2

Patman

Rogers

Absent

Moore **Spears**

Absent—Excused

Dies

The President then laid the resolution before the Senate on its third reading and final passage.

The resolution was read third time and was passed by the following vote:

Yeas—26

Aikin	Kazen
Bates	Kennard
Blanchard	Krueger
Calhoun	Moffett
Cole	Owen
Colson	Parkhouse
Creighton	Ratliff
Crump	Reagan
Hall	Richter
Hardeman	Schwartz
Harrington	Strong
Hazlewood	Watson
Herring	Word

Nays—2

Patman **Rogers**

Absent

Moore **Spears**

Absent—Excused

Dies

Motion to Place Senate Joint Resolution 11 on Second Reading

Senator Harrington asked unanimous consent to suspend the regular order of business and take up S. J. R. No. 11 for consideration at this time.

There was objection.

Senator Harrington then moved to suspend the regular order of business and take up S. J. R. No. 11 for consideration at this time.

The motion was lost by the following vote (not receiving two-thirds vote of the Members present):

Yeas—13

Bates	Kazen
Cole	Kennard
Hall	Krueger
Harrington	Patman
Herring	Ratliff

Richter
Schwartz

Watson

Nays—14

Aikin	Moffett
Blanchard	Owen
Calhoun	Parkhouse
Creighton	Reagan
Crump	Rogers
Hardeman	Strong
Hazlewood	Word

Absent

Colson **Spears**
Moore

Absent—Excused

Dies

Reports of Standing Committees

Senator Moffett by unanimous consent submitted the following report:

Austin, Texas,
May 6, 1963.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Agriculture and Livestock to which was referred H. B. No. 587, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

MOFFETT, Chairman.

Senator Creighton by unanimous consent submitted the following reports:

Austin, Texas,
May 6, 1963.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Game and Fish to which was referred H. B. No. 191, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass as amended, and be printed.

CREIGHTON, Chairman.

Austin, Texas,
May 6, 1963.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Game and Fish, to which was referred H. B. No. 109, have had the same under consideration, and I am instructed to

report it back to the Senate with the recommendation that it do not pass, but that the Committee Substitute adopted in lieu thereof do pass and be printed.

CREIGHTON, Chairman.

C. S. H. B. No. 109 was read the first time.

Austin, Texas,
May 6, 1963.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred S. B. No. 498, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

CREIGHTON, Vice-Chairman.

Senate Bill 196 With House Amendments

Senator Kennard called S. B. No. 196 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Kennard moved that the Senate concur in the House amendments.

The motion prevailed.

Senate Bill 354 on Second Reading

On motion of Senator Bates and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment.

S. B. No. 354, A bill to be entitled "An Act amending Sub-Section (5) of Section 5 of Chapter 68, page 94, Acts of the 48th Legislature, Regular Session, 1943, as amended, and codified as Article 5172a of Vernon's Civil Statutes providing for the limiting of hours of labor and the prescribing of wages for overtime labor for certain female employees including employees of banking institutions; repealing all laws in conflict; and declaring an emergency."

The bill was read second time and passed to engrossment.

Senate Bill 354 on Third Reading

Senator Bates moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that S. B. No. 354 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—25

Aikin	Kennard
Bates	Krueger
Blanchard	Owen
Calhoun	Parkhouse
Cole	Patman
Creighton	Ratliff
Crump	Reagan
Hall	Richter
Hardeman	Schwartz
Harrington	Strong
Hazlewood	Watson
Herring	Word
Kazen	

Nays—1

Rogers

Absent

Colson	Moore
Moffett	Spears

Absent—Excused

Dies

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Senate Bill 489 on Second Reading

On motion of Senator Hardeman and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 489, A bill to be entitled "An Act providing that in the acquisition of right of way by or for the Texas Highway Department, the cost of relocating or adjusting eligible utility facilities shall be treated as a right of way cost; providing for the validation of previous contracts; and declaring an emergency."

The bill was read second time and passed to engrossment.

Senate Bill 489 on Third Reading

Senator Hardeman moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that S. B. No. 489 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Kazen
Bates	Kennard
Blanchard	Krueger
Calhoun	Moffett
Cole	Owen
Colson	Parkhouse
Creighton	Ratliff
Crump	Reagan
Hall	Richter
Hardeman	Schwartz
Harrington	Strong
Hazlewood	Watson
Herring	Word

Nays—2

Patman	Rogers
--------	--------

Absent

Moore	Spears
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Absent—Excused

Dies

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—26

Aikin	Kazen
Bates	Kennard
Blanchard	Krueger
Calhoun	Moffett
Cole	Owen
Colson	Parkhouse
Creighton	Ratliff
Crump	Reagan
Hall	Richter
Hardeman	Schwartz
Harrington	Strong
Hazlewood	Watson
Herring	Word

Nays—2

Patman	Rogers
--------	--------

Absent

Moore	Spears
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Absent—Excused

Dies

Leave of Absence

Senator Spears was granted leave of absence for the remainder of today on account of illness on motion of Senator Kennard.

Senate Bill 451 on Second Reading

Senator Blanchard asked unanimous consent to suspend the regular order of business and take up S. B. No. 451 for consideration at this time.

There was objection.

Senator Blanchard then moved to suspend the regular order of business and take up S. B. No. 451 for consideration at this time.

The motion prevailed by the following vote:

Yeas—24

Aikin	Kazen
Bates	Kennard
Blanchard	Krueger
Calhoun	Moffett
Cole	Parkhouse
Colson	Ratliff
Creighton	Reagan
Crump	Richter
Hall	Rogers
Hardeman	Schwartz
Hazlewood	Watson
Herring	Word

Nays—4

Harrington	Patman
Owen	Strong

Absent

Moore

Absent—Excused

Dies

Spears

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 451, A bill to be entitled "An Act to amend Section 1, Acts 1929, Regular Session, Chap. 314, Art. 911b, Title 25, Vernon's Annotated Revised Civil Statutes of Texas), by adding a new subsection numbered '(j),' defining certain terms, and declaring an emergency."

The bill was read second time.

Senator Parkhouse offered the following committee amendment to the bill:

Amend Senate Bill 451 by striking out all of the section "(j)" and substituting in lieu thereof the following: "(j) The term 'transporting property for compensation or hire' shall include the furnishing during the same period of time of equipment and drivers to persons, firms, copartnerships, associations or joint-stock associations other than common carriers, contract carriers, or specialized motor carriers for use in their carrier operations, whether the equipment and drivers are furnished by the same or separate person, firm, copartnership, association or joint-stock association, and their lessees, receivers or trustees appointed by any Court whatsoever owning, controlling, managing, operating or causing to be operated any motor-propelled vehicle."

The committee amendment was adopted.

On motion of Senator Parkhouse and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

Record of Votes

Senators Strong, Patman and Bates asked to be recorded as voting "Nay" on the passage of S. B. 451 to engrossment.

Senate Bill 451 on Third Reading

Senator Parkhouse moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that S. B. No. 451 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—24

Aikin	Creighton
Blanchard	Crump
Calhoun	Hall
Cole	Hardeman
Colson	Harrington

Hazlewood	Ratliff
Herring	Reagan
Kazen	Richter
Kennard	Rogers
Krueger	Schwartz
Moffett	Watson
Parkhouse	Word

Nays—4

Bates	Patman
Owen	Strong

Absent

Moore

Absent—Excused

Dies	Spears
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The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Record of Votes

Senators Strong and Patman asked to be shown as voting "Nay" on the final passage of S. B. No. 451.

Presentation of Guest

Senator Owen by unanimous consent presented Federal Judge Ewing R. Thomason of El Paso to the Members of the Senate and requested that he be invited to address the Senate.

Judge Thomason was given a standing ovation by the Members of the Senate.

He was escorted to the President's Rostrum by Senator Owen and the President presented him to the Senate.

Judge Thomason addressed the Senate expressing his pleasure at seeing so many of his friends and the sons of his very dear friends now serving in the Senate. Judge Thomason then thanked the Members for the honor bestowed upon him and commended the Senators for the great service they were rendering to the State.

Reports of Standing Committees

Senator Crump by unanimous consent submitted the following report:

Austin, Texas,
May 6, 1963.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Education, to whom was referred H. B. No. 733, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

CRUMP, Chairman.

Senator Blanchard by unanimous consent submitted the following report:

Austin, Texas,
May 6, 1963.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Labor and Management Relations, to whom was referred H. B. No. 67, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do not pass, but that the Committee Substitute adopted in lieu thereof do pass and be printed.

BLANCHARD, Chairman.

C. S. H. B. No. 67 was read the first time.

Senator Crump by unanimous consent submitted the following report:

Austin, Texas,
May 6, 1963.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Education to which was referred H. B. No. 755, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

CRUMP, Chairman.

Senate Bill 289 on Second Reading

On motion of Senator Owen and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 289, A bill to be entitled "An Act amending Article 695C, Section 8A and Section 8B of Vernon's Civil Statutes, 1925, as amended originally from Acts 1939, 46th Legislature, Page 544; Acts 1941, 47th Legislature, Page 914, Chapter 562, 1 as

amended Acts 1949, 51st Legislature, Page 743, Chapter 402, 1, relating to appeals from orders of the advisory board as appointed by the State Department of Public Welfare, so as to change jurisdiction and venue on such appeal and making other provisions relating thereto; and declaring an emergency."

The bill was read second time and passed to engrossment.

Record of Votes

Senators Parkhouse and Kennard asked to be recorded as voting "Nay" on the passage of S. B. No. 289 to engrossment.

Senate Bill 289 on Third Reading

Senator Owen moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that S. B. No. 289 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—25

Aikin	Krueger
Bates	Moffett
Blanchard	Owen
Calhoun	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Strong
Hazlewood	Watson
Herring	Word
Kaxen	

Nays—3

Cole	Parkhouse
Kennard	

Absent

Moore

Absent—Excused

Dies	Spears
------	--------

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Record of Votes

Senators Parkhouse and Kennard asked to be recorded as voting "Nay" on the final passage of S. B. No. 289.

Senate Bill 475 on Second Reading

On motion of Senator Schwartz and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 475, A bill to be entitled "An Act granting to the City of Texas City, Texas, in Galveston County, Texas, for Public Purposes and Particularly for and in aid of Recreation, Rest and Relaxation, Fishing, Boating, surfriding, Natatorial and Nautical Purposes, that portion of certain submerged lands, tidal flats, overflow lands and accretions formed by dredged material; and declaring an emergency."

The bill was read second time and passed to engrossment.

Senate Bill 475 on Third Reading

Senator Schwartz moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that S. B. No. 475 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—25

Aikin	Kennard
Bates	Moffett
Blanchard	Owen
Calhoun	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Hall	Richter
Hardeman	Schwartz
Harrington	Strong
Hazlewood	Watson
Herring	Word
Kazen	

Nays—2

Krueger	Rogers
	Absent
Cole	Moore
	Absent—Excused
Dies	Spears

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Senate Bill 498 Ordered Not Printed

On motion of Senator Hazlewood and by unanimous consent S. B. No. 498 was ordered not printed.

Senate Bill 426 on Second Reading

Senator Harrington asked unanimous consent to suspend the regular order of business and take up S. B. No. 426 for consideration at this time.

There was objection.

Senator Harrington then moved to suspend the regular order of business and take up S. B. No. 426 for consideration at this time.

The motion prevailed by the following vote:

Yeas—20

Aikin	Moffett
Bates	Owen
Calhoun	Parkhouse
Cole	Patman
Colson	Reagan
Creighton	Rogers
Hall	Schwartz
Harrington	Strong
Herring	Watson
Kennard	Word

Nays—6

Crump	Krueger
Hazlewood	Ratliff
Kazen	Richter

Absent

Blanchard	Moore
Hardeman	

Absent—Excused

Dies	Spears
------	--------

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 426, A bill to be entitled "An Act establishing and providing for a state school for mentally retarded persons, to be known as the "Southwest Texas State School"; regulating and providing for the operation of same; creating an independent

school district; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Record of Vote

Senator Kennard asked to be recorded as voting "Nay" on the passage of S. B. No. 426 to engrossment.

Senate Bill 426 on Third Reading

Senator Harrington moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that S. B. No. 426 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—21

Aikin	Owen
Bates	Parkhouse
Calhoun	Patman
Cole	Ratliff
Colson	Reagan
Creighton	Rogers
Hall	Schwartz
Hardeman	Strong
Harrington	Watson
Herring	Word
Kazen	

Nays—5

Crump	Krueger
Hazlewood	Richter
Kennard	

Absent

Blanchard	Moore
Moffett	

Absent—Excused

Dies	Spears
------	--------

(Senator Hardeman in the Chair.)

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Record of Votes

Senators Hazlewood, Crump, Richter, Krueger and Hardeman asked to be recorded as voting "Nay" on the final passage of S. B. No. 426.

Committee Substitute House Bill 67 Ordered Not Printed

On motion of Senator Rogers and by unanimous consent C. S. H. B. No. 67 was ordered not printed.

Motion to Call Senate Bill 311 From the President's Table

Senator Rogers moved that S. B. No. 311 be called from the President's Table (The bill having been Laid on the Table Subject to Call on Tuesday, April 23, 1963).

Pending discussion of the motion, Senator Crump raised the point of order that a motion to call a bill from the table that had been tabled subject to call was not debatable.

The President sustained the point of order.

Question on the motion to call S. B. No. 311 from the President's Table, the motion was lost.

Question—Shall S. B. No. 311 be passed to engrossment?

Statement Relative to Vote

I was absent on the floor of the Senate when the final vote was taken on S. B. No. 100. My absence was caused by a long distance call from a constituent in Houston. If I had been present at the time the vote was taken on S. B. No. 100 I would have cast a "Nay" vote.

COLE

House Bill 191 Ordered Not Printed

On motion of Senator Patman and by unanimous consent H. B. No. 191 was ordered not printed.

Senate Bill 501 on First Reading

Senator Moore moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—29

Aikin	Creighton
Bates	Crump
Blanchard	Hall
Calhoun	Hardeman
Cole	Harrington
Colson	Hazlewood

Herring	Ratliff
Kazen	Reagan
Kennard	Richter
Krueger	Rogers
Moffett	Schwartz
Moore	Strong
Owen	Watson
Parkhouse	Word
Patman	

Absent—Excused

Dies	Spears
------	--------

The following bill was then introduced, read first time and referred to the committee indicated:

By Senator Moore:

S. B. No. 501, A bill to be entitled "An Act to amend Chapter 368, Acts of the 54th Legislature, Regular Session, 1955, as amended, by adding a new section to such Act making the bonds issued by governing boards of institutions of higher learning pursuant to such act, authorized investments, and making them eligible to secure public funds; and declaring an emergency."

To the Committee on Education.

Senate Bills on First Reading

By unanimous consent the following local bills were introduced, read first time and referred to the committee indicated:

By Senator Schwartz:

S. B. No. 502, A bill to be entitled "An Act creating a conservation and reclamation district under the provisions of Section 59, Article XVI, Constitution of Texas, to be known as "Friendswood Drainage District of Galveston County, Texas"; prescribing its rights, powers, privileges and duties; providing for its governing body; containing other provisions relating to the subject; providing a severability clause; and declaring an emergency."

To the Committee on Water and Conservation.

By Senator Schwartz:

S. B. No. 503, A bill to be entitled "An Act creating a conservation and reclamation district under the provisions of Section 59, Article XVI, Constitution of Texas, to be known as "Bacliff Municipal Utility District of Galveston County, Texas"; prescribing its rights, powers, privileges,

and duties; providing the District shall bear the sole expense of the relocation of certain facilities under the provisions of this Act; providing for its governing body; containing provisions relating to addition of land; providing that its bonds are legal and authorized investments; containing other provisions relating to the subject; providing a severability clause; and declaring an emergency."

To the Committee on Water and Conservation.

By Senator Schwartz:

S. B. No. 504, A bill to be entitled "An Act creating a conservation and reclamation district under the provisions of Section 59, Article XVI, Constitution of Texas, to be known as 'Bayview Municipal Utility District of Galveston County, Texas'; prescribing its rights, powers, privileges, and duties; providing the District shall bear the sole expense of relocation of certain facilities under the provisions of this Act; providing for its governing body; containing provisions as to its taxes and its tax assessor and collector; containing provisions relating to addition and discontinuance of land; providing that its bonds are legal and authorized investments; containing other provisions relating to the subject; providing a severability clause; and declaring an emergency."

To the Committee on Water and Conservation.

Welcome Resolutions

S. R. No. 490—By Senator Herring: Extending welcome to students and teacher of Brykerwood School of Austin.

S. R. No. 491—By Senator Creighton: Extending welcome to Mrs. Dorothy Hamilton and twin sons et al. of Mineral Wells.

S. R. No. 492—By Senator Word: Extending welcome to students and teacher of Gustine School.

S. R. No. 493—By Senator Herring: Extending welcome to students, including Mark Connally, the son of our distinguished Governor, John Connally, and teacher of Casis Elementary School of Austin.

S. R. No. 494—By Senator Hall: Extending welcome to Judge and Mrs. Durwood Wimpee et al. of Rockwall.

S. R. No. 495—By Senator Cole: Extending welcome to Lynn Thrower of Lamar High School and Bill Steen of Robert E. Lee High School of Houston.

S. R. No. 496—By Senator Owen: Extending welcome to the Lydia Patterson Institute Choir of El Paso accompanied by their President and Director.

Memorial Resolution

S. C. R. No. 64—By Senator Cole: Memorial resolution for James P. (Jake) Hamblen of Houston.

Adjournment

Senator Hardeman moved that the Senate stand adjourned until 10:00 o'clock a.m. tomorrow.

Question on the motion to adjourn, Yeas and Nays were demanded.

The motion prevailed by the following vote:

Yeas—19

Blanchard	Krueger
Calhoun	Moffett
Cole	Parkhouse
Creighton	Ratliff
Crump	Reagan
Hall	Richter
Hardeman	Rogers
Hazlewood	Schwartz
Herring	Strong
Kazen	

Nays—9

Aikin	Owen
Bates	Patman
Colson	Watson
Harrington	Word
Kennard	

Absent

Moore

Absent—Excused

Dies	Spears
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Accordingly, the Senate at 3:35 o'clock p.m. adjourned until 10:00 o'clock a.m. tomorrow.

SIXTY-SIXTH DAY

(Tuesday, May 7, 1963)

The Senate met at 10:00 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called, and the following Senators were present:

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Message From the House

Hall of the House of Representatives
Austin, Texas,
May 6, 1963.

Hon. Preston Smith, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. C. R. No. 76, Providing for sine die adjournment of the Regular Session of the Fifty-eighth Legislature at 12:00 o'clock midnight, Friday, May 24, 1963.

H. C. R. No. 77, Directing the Engrossing and Enrolling Clerk of the House of Representatives to make certain corrections in House Bill No. 565.

H. C. R. No. 79, Directing the Engrossing and Enrolling Clerk of the House to make certain corrections in House Bill No. 694.

H. C. R. No. 56, Granting permission to J. T. Carr to sue the State of Texas and the State Highway Commission.

H. C. R. No. 78, Inviting visiting Governors and other officials of Mexico to attend and address a Joint Ses-